

REMARKS

For the convenience of the Examiner set forth below is a recapitulation of the current status of the Claims in the present Application.

CLAIM	STATUS	DEPENDENCY
1	Original	Independent
2	Original	1
3	Original	1
4	Currently Amended	20
5	Currently Amended	20
6	Currently Amended	20
7	Original	6
8	Original	7
9	Original	8
10	Original	9
11	Original	9
12	Currently Amended	1
13	Original	12
14	Original	13
15	Original	14
16	Original	3
17	Withdrawn	—
18	Withdrawn	—
19	Withdrawn	—
20	New	Independent

Comments of Primary Examiner David B. THOMAS have been reviewed carefully along with pertinent sections of the Patent, Act, Patent Rules, the Manual of Patent Examining Procedure, legal treatises and relevant decisional law. The Application has been amended in accordance with Examiner THOMAS' requirements and favorable reconsideration of the Application, as amended, is solicited earnestly.

The Examiner has stated Claims 3-11 and 13-16 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The subject matter of Claims 1 and 3 has been rewritten and is now presented as new independent Claim 20. No new matter has been added. Claim 20 is believed to be patentable.

Claim 12 has been rejected under 35 USC 112. The Examiner has stated that Claim 12 recites the limitation "the locking device" in Line 2 and that there is insufficient antecedent basis for this limitation in the claim.

Accordingly, Claim 12 has been amended to remove the limitation "the locking device". The term "keep" has been changed to "retain" for purpose of clarity. No new matter has been added. Claim 12 as amended is believed to be patentable.

Claims 1 and 2 have been rejected under 35 USC 102(b) as being anticipated by

Martindell, US Patent 4,692,073.

Reconsideration of the rejection of Claims 1 and 2 is requested on the following basis. Examination of the *Martindell* Patent indicates the following differences between the device shown therein, the present invention and the statements of the Examiner.

1. In the *Martindell* device a movable sleeve 60 moves in a straight line relative to the tool bit 100. The movable sleeve is spring biased and includes a cam surface disposed against a ball. The ball applies normal force against a groove in the tool bit 100. In the *Martindell* device, the movable sleeve does not rotate.

2. In the *Martindell* device, the rear end of the spindle 12 includes radially outwardly extending ears 14 which engage the handle grip 16 to engage the handle grip 16 in order to prevent relative rotation between the handle grip 16 and the spindle 12 as described in Col 4, Lines 8-12 and Fig. 1.

3. In contrast to the *Martindell* device, the present invention includes an operative ring 22 which rotates. The groove 52 which is formed on the inside of the ring also rotates and locks the ball detent. This rotation of the operative ring 22 has been described in the specification and has been clearly shown in Fig. 1.

4. The present invention as shown, described and claimed in Claim 1 includes a

socket 32 which includes a thin section 34, a thick section 36 and an annular face 38, between the thin and thick sections. The socket structure including the thin section, the thick section and the annular face as claimed in Claim 1 are not shown in the *Martindell* reference and Claim 1 is therefore believed to be patentable.

5. *Martindell* does not show any structure which is equivalent to the annual face between a thick section of a socket and a thin section of a socket as taught by the present invention and claimed in Claim 1.

For the above reasons the application of the *Martindell* reference is not considered to be appropriate and reconsideration is respectfully requested.

The status of the Claims is as follows:

Claims 4-6 and 12 have been amended.

Claims 1-3, 7-11 and 13-16 are original.

Claims 17-19 have been withdrawn.

Claim 20 is new.

In view of the foregoing submissions and explanations, it is believed that Claims 1-

16 and 20 are in condition for allowance. An early Notice of Allowance on the Application will be appreciated.

Courtesy, cooperation and skill of Primary Examiner David B. THOMAS are appreciated and acknowledged.

Respectfully,



CHARLES E. BAXLEY
Attorney of Record
USPTO Reg 20,149
90 John Street, Third Floor
New York, NY 10038
Tel: (212) 791-7200
Fax: (212) 791-7276

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